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PTO

PATENT APPLICATION TRANSMITTAL LETTER

ATTORNEY'S DOCKET NO.
VAN ESS - 2

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Transmitted herewith for filing is a patent application of LESTER J. VAN ESS
FOR: LAPAROSCOPIC INSTRUMENT AND METHOD FOR ITS USE

ENCLOSED ARE:

4 sheet(s) of formal drawing(s)
 _____ sheet(s) of informal drawing(s)
 an Assignment of the invention, with required cover sheet, to

Priority is claimed under 35 USC 119 for the following application(s):

a certified copy of the aforesaid application is enclosed.
 a certified copy of the aforesaid application will be submitted in due course.
 Associate Power of Attorney enclosed.

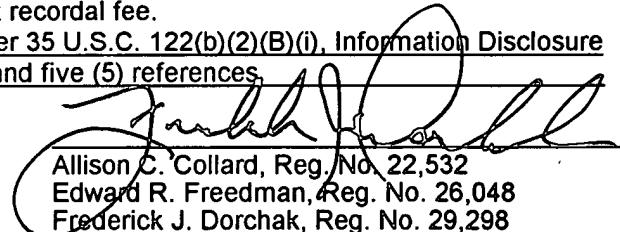
CLAIMS AS FILED

| FOR | NUMBER FILED | NUMBER EXTRA | RATE | Fee |
|---|--------------|--------------|--------------------------|-----------------|
| TOTAL CLAIMS | 10 - 20 | 0 | X \$ 18.00 | \$ 0.00 |
| INDEPENDENT CLAIMS | 2 - 3 | 0 | X \$ 86.00 | \$ 0.00 |
| BASIC FEE (\$770) | | | | |
| REDUCED FEE (\$385) [] Independent Inventor [X] Small Business Concern | | | | \$385.00 |
| | | | <u>TOTAL FILING FEE:</u> | <u>\$385.00</u> |

Applicant claims small entity status
 The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, except for the Base Issue Fee, or credit any overpayment to Deposit Account No. 03-2468. A duplicate copy of this sheet is enclosed.
 A Check in the amount of \$ 385.00 is enclosed. This check covers:
 the filing fee
 the filing fee and the Assignment recordal fee.
 Other Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i), Information Disclosure Statement, PTO-1449 form and five (5) references.

November 26, 2003

Date


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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above, and is addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


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22151 U.S.PTO
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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

| | |
|----------------------|---|
| First Named Inventor | Lester J. VAN ESS |
| Title | LAPAROSCOPIC INSTRUMENT AND METHOD FOR ITS USE |
| Atty Docket Number | VAN ESS - 2 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Nov 25, 03

Date

Signature

LESTER J. VAN ESS

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(ii)).**